

Denise Carlon, Esquire
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Attorneys for LoanCare, LLC

IN THE MATTER OF:

Scott E Depka

DEBTOR,

**IN THE UNITED STATES
BANKRUPTCY COURT FOR THE
DISTRICT OF NEW JERSEY**

CHAPTER 13
CASE NO. 23-10009 JNP

NOTICE OF OBJECTION

I, Denise Carlon, the undersigned, Esquire For KML Law Group, P.C., attorney for Secured Creditor **LoanCare, LLC**, the holder of a Mortgage on the debtors' premises at **217 Chestnut St Turnersville, NJ 08012** hereby objects to the confirmation of the debtors' proposed Chapter 13 Plan for the following reasons:

1. The claims bar date is March 13, 2023. Secured Creditor intends to file a claim on or before the bar date with pre-petition arrears estimated at \$105,210.73.
2. Debtor's plan provides for payment in the amount of \$0.00 towards the arrearage claim of the Secured Creditor.
3. The Debtor's plan fails to address the Secured Creditor's claim. The loan modification is remote and speculative. The Debtor cannot modify the loan without the consent of the Secured Creditor. Therefore, the plan cannot be confirmed unless and until a loan modification is agreed to and approved by the Court.
4. Debtor's Plan understates the amount of the Secured Creditor's claim by \$105,210.73, and does not provide sufficient funding to pay said claim.
5. Accordingly, Debtor's plan is NOT feasible, as it does not fully compensate the Secured Creditor.
6. In addition, the debtor's plan fails to comply with 11 U.S.C. 1322 and 11 U.S.C. 1325.

In the event the debtors cure the aforesaid payments due outside the Chapter 13 Plan prior to the Confirmation Hearing, the undersigned will not appear at the Confirmation Hearing and aforesaid objections should be deemed waived.

/s/Denise Carlon, Esquire

Denise Carlon, Esquire
Attorney for LoanCare, LLC

Dated: March 2, 2023